

**PATENT**

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

APPLICANT: Lee, et al.

Group Art No.: 1614

SERIAL NO.: 10/634,678

Examiner: (not yet assigned)

FILED: August 5, 2003

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

FOR: FUSED AZABICYCLIC  
COMPOUNDS THAT INHIBIT  
VANILLOID RECEPTOR SUBTYPE 1  
(VR1) RECEPTOR

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CASE NO.: 6888.US.P1

Date of Deposit:

Tanya Parent  
Tanya Parent

1/26/04  
Date

**DECLARATION AND POWER OF ATTORNEY  
FOR A UNITED STATES PATENT APPLICATION**

As a below-named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original and first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled FUSED AZABICYCLIC COMPOUNDS THAT INHIBIT VANILLOID RECEPTOR SUBTYPE 1 (VR1) RECEPTOR, the specification of which was filed on August 5, 2003 and received Serial No. 10/634,678.

I hereby state that I have reviewed and understand the contents of the above-mentioned specification, including the claims.

I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Claim to benefit of foreign application(s) as follows:

I hereby claim foreign priority benefits under 35 U.S.C. § 119 for the following foreign applications for patent or inventors certificate.

NONE

The following foreign applications for patent or inventors certificate have a filing date earlier than the filing date of the applications identified above.

NONE

Claim to benefit of earlier U.S. application(s) as follows:

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional application(s) listed below:

**USSN 10/364,210, filed February 11, 2003**

I hereby claim the benefit under 35 U.S.C. § 120 of the following earlier-filed United States patent applications:

NONE

Insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. applications in the manner required by 35 U.S.C. § 112, first paragraph, I acknowledge a duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56 which came into existence between the filing date(s) of the prior applications and the national or PCT filing date of this application.

NONE

I hereby appoint the following Attorneys and/or agents to prosecute this application and any continuation or divisional applications based hereon, and to transact all business in the Patent and Trademark Office connected therewith:

Regina M. Anderson, Reg. No. 35,820  
Cheryl L. Becker, Reg. No. 35,441  
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Post Office Address: 29607 N. Birch Avenue; Lake Bluff, IL 60044  
Residence: Lake Bluff, IL 60044  
Citizenship: Canada

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that all statements made herein were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Chih-Hung Lee Date

Erol K. Bayburt Date

Stanley DiDomenico, Jr. Date

Irene Drizin Date

Arthur R. Gomtsyan Date

John R. Koenig Date

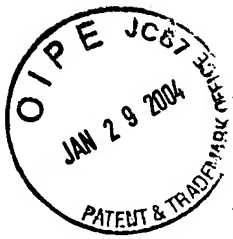
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Tammie K. White Date

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Chih-Hung Lee 12/16/2003 Erol K. Bayburt Dec 15, 2003  
Chih-Hung Lee Date Erol K. Bayburt Date

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Stanley DiDomenico, Jr. Date Irene Drizin Date

Arthur R. Gomtsyan 12/15/2003 John R. Koenig 12/16/03  
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Richard J. Perner Date Robert G. Schmidt, Jr. Date

Sean C. Turner Tammie K. White 12/17/2003  
Sean C. Turner Date Tammie K. White Date

Guo Zhu Zheng 12/05/03  
Guo Zhu Zheng Date